

UNPUBLISHED

**UNITED STATES COURT OF APPEALS**  
**FOR THE FOURTH CIRCUIT**

UNITED STATES OF AMERICA, <i>Plaintiff-Appellee,</i>
v.
MARCUS BROWN, a/k/a Sa'id Abdus-Samad, <i>Defendant-Appellant.</i>

No. 01-7420

Appeal from the United States District Court  
for the District of South Carolina, at Columbia.  
Dennis W. Shedd, District Judge.  
(CR-96-450)

Submitted: December 28, 2001

Decided: January 25, 2002

Before NIEMEYER, WILLIAMS, and MOTZ, Circuit Judges.

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Vacated and remanded by unpublished per curiam opinion.

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**COUNSEL**

Marcus Brown, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit. See  
Local Rule 36(c).

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**OPINION****PER CURIAM:**

Marcus Brown appeals from the district court's order denying his motion to amend his judgment and commitment order to reflect his legal name change to Sa'id Abdus-Samad. The district court denied Brown's motion, apparently on the grounds that it would not intervene in a prison administrative matter. However, Brown included with his motion a letter from the Bureau of Prisons stating that Brown's records would be changed to reflect his name upon receipt of an amended judgment and commitment order from the district court. Because it is not clear whether the district court denied the motion on the ground that it lacked jurisdiction to amend the judgment and commitment order or whether it concluded that it had jurisdiction but declined to exercise its discretion to do so, we vacate and remand for further findings by the district court. In doing so, we express no opinion as to the merits of Brown's claim. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

*VACATED AND REMANDED*